

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BERNARD OTIS HUFF,

Petitioner,

V.

DOUG WADDINGTON,

Respondent.

Case No. C06-5105RJB

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court having reviewed the Report and Recommendation of the Hon. J. Kelley Arnold United States Magistrate Judge, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) The petition is **DISMISSED WITH PREJUDICE** for the reasons set forth in the Report and Recommendation. This petition is procedurally barred and time barred.
- (3) The clerk is directed to send copies of this Order to Petitioner, counsel for Respondent, and to the Hon. J. Kelley Arnold.

DATED this 26th day of September, 2006.

Robert Bryan

Robert J. Bryan
United States District Judge

ORDER -1